

Exclusion for Disposable Solvent Contaminated Wipes

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Regulations

- Final Environmental Protection Agency (EPA) rule July 31, 2013 (78 FR 46448)
- 40 CFR 261.4
 - (a)(26) reusable wipes – conditional exclusion from the definition of **solid waste**
 - (b)(18) disposable wipes – conditional exclusion from the definition of **hazardous waste**
- Adopted by reference in Missouri's recent 10-CSR 25 "no stricter" package- effective Dec. 30, 2015

History/Impacts

- History-
 - 1980s: Industry petitioned for changes
 - 1994: EPA deferred decision to states
 - 2003: EPA proposed a rule
 - 2013: EPA finalized rule
- Impacts- (EPA estimates)
 - 3730 solid waste management facilities
 - total annual benefits to be between \$21.7 - \$27.8 million per year

Risk Analysis

- EPA published their final risk analysis with final rule
 - demonstrates 19 of 20 listed solvents evaluated do not pose significant risk when disposed in a landfill with a composite liner
 - Trichloroethylene (TCE) exceeded target risk criteria for disposal in a landfill with a composite liner

New Definitions

- Wipe
 - woven or non-woven shop towel, rag, pad or swab made of wood pulp, fabric, cotton, polyester blends or other material
- Solvent-contaminated wipe
 - wipe that, after use or after cleaning up a spill has at least one of the following:
 - contains one or more of the F001 through F005 solvents
 - exhibits a hazardous characteristic when that characteristic results from a listed solvent
 - exhibits only the hazardous waste characteristic of ignitability due to the presence of solvents not listed

Solvent-Contaminated Disposable Wipes

- **Description:** Solvent-contaminated wipes sent for disposal are not hazardous wastes, provided the conditions of the exclusion are met.
- **Includes wipes which:**
 - Contain listed solvents ***except TCE*** (F001-F005 or corresponding P- or U- listed solvents found in § 261.33)
 - Exhibit a hazardous characteristic resulting from a listed solvent
 - Exhibit only the ignitability characteristic when containing non-listed solvent(s)

Disposable Wipes (cont.)

- Does not include wipes which:
 - contain listed hazardous waste other than solvents
 - exhibit the characteristic of toxicity, corrosivity or reactivity due to non-listed solvents or contaminants other than solvents
 - are hazardous waste due to the presence of TCE

Disposable Wipes – Generators

- Storage Requirements
 - Wipes must be accumulated, stored, and transported in non-leaking, closed containers that can contain free liquids, should they occur
- Labeling
 - Containers must be labeled “Excluded Solvent-Contaminated Wipes.”
- Recordkeeping
 - Generators must maintain documentation that includes: name and address of landfill or combustor

Disposable Wipes - Generators

- Condition of Wipes Prior to Transport
 - Wipes must contain **no free liquids** prior to being sent for cleaning or disposal and there may not be free liquid in the container holding the wipes.
 - Free liquids removed from wipes or wipes container must be managed according to applicable hazardous waste regulations in 40 CFR parts 260 through 273
- “No free liquids” defined in 40 CFR 260.10 and based on the EPA Methods Test 9095B (Paint Filter Liquids Test)

Disposable Wipes – Handling Facilities

- Eligible Handling Facilities
 - Must go to a combustor regulated under section 129 of the Clean Air Act or to a hazardous waste combustor, boiler or industrial furnace regulated under 40 CFR parts 264, 265, or 266 subpart H or
 - Must go to a municipal solid waste landfill regulated under 40 CFR part 258 (including § 258.40) (subtitle D) or to a hazardous waste landfill regulated under 40 CFR parts 264 or 265

Disposable Wipes – Handling Facilities

- Storage and Labeling at Handling Facilities
 - Must store wipes in non-leaking, closed containers labeled “Excluded Solvent-Contaminated Wipes.” Containers must be able to contain free liquids should they occur.
- Management of Free Liquids by Handling Facilities
 - Free liquids removed from wipes or container holding wipes must be managed according to applicable hazardous waste regulations

Closed Containers

- When container full, no longer being added to or being transported:
 - The container must be sealed with all lids properly and securely affixed to the container and all openings tightly bound or closed
 - The objective of this is to prevent the release of any volatile organic emissions and to prevent a spill if the container is tipped over

Closed Containers-Examples

- Open-head drum or open top container
 - properly secured with snap rings tightly bolted, bungholes capped and, where appropriate, pressure-vacuum relief valves to maintain the container's internal pressure to avoid explosions
- Bags can be used if they meet standard
 - EPA considers bags closed when the neck of the bag is tightly bound and sealed to the extent necessary to keep the solvent-contaminated wipes and associated air emissions inside the container
 - The bag must be able to contain liquids and must be non-leaking.

Useful Links

- [EPA webpage-Solvent-Contaminated Wipes Rulemaking](#)
- [Solvent Wipes Summary Chart](#)
- [Closed Container Guidance-Questions and Answers](#)



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Questions?